

UNITED STATES DISTRICT COURT

for
NORTHERN DISTRICT OF CALIFORNIA
San Jose Venue

FILED
OCT 15 2007
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Petition for Arrest Warrant for Offender Under Supervision

Name of Offender: Maya A. Finnie Docket No.: CR 07-00620-01 JW

Name of Sentencing Judge: James Ware
United States District Judge

Date of Original Sentence: July 8, 2002

Original Offense:

Count One: Distribution of More than 5 Grams of Cocaine Base, 21 U.S.C. §841(a)(1), a Class B felony

Count Two: Conspiracy to Possess With the Intent to Distribute and Distribution of More than 50 Grams of Cocaine, 21 U.S.C. § 841 (a)(1) and 846, a Class A felony

Count Three: Distribution of More than 50 Grams of Cocaine Base, 21 U.S.C. § 841(a)(1), a Class A felony

Original Sentence: 84 months BOP and 60 months TSR

Special Conditions: special assessment \$600.00; community service 200 hours; alcohol treatment; drug/alcohol treatment; search; not own or possess any firearms, ammunition, destructive devices, or other dangerous weapons

Jurisdiction was transferred from the Eastern District of Washington to the Northern District of California on September 25, 2007.

Type of Supervision: Supervised Release Date Supervision Commenced: March 9, 2007
Assistant U.S. Attorney: Joseph Fazioli (Duty AUSA) Defense Counsel: Jay Rorty (AFPD)

Petitioning the Court

The issuance of a no bail warrant for the offender's arrest.

I, Janie Zhuang, a Probation Officer employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records

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or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

Charge Number

Violation

One

There is probable cause to believe that the offender violated standard condition number three which requires her, in part, to follow the instructions of the probation officer.

On August 28, 2007, I spoke with the offender via the telephone and reprimanded her for not attending substance abuse treatment. I directed the offender to report to the probation office the next day, on August 29, 2007. The offender agreed to report as directed; however, she did not report to the probation office.

On August 29, 2007, I left a message on the offender's voice mail directing her to report to the probation office on September 4, 2007. She failed to report on this date as directed.

On September 4, 2007, I left another message for the offender directing her to report to the probation officer on September 5, 2007. When the offender failed to report on September 5, 2007, she left a message that evening indicating that she would report the following day before noon. The offender failed to report.

Evidence of this violation can be found in the probation officer's chronological entries on the above dates.

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Two There is probable cause to believe that the offender violated standard condition number six which requires her to notify the probation officer at least 10 days prior to any change in residence or employment.

On August 30, 2007, I attempted to contact the offender at her reported address. The offender's aunt and daughter reported that the offender had not returned home for at least two weeks and her whereabouts were unknown. On that same day, I made an employment visit and I was informed by one of her co-workers that she was no longer employed and had been gone over a week.

Evidence of this violation can be found in the probation officer's chronological entries on the above date.

Three There is probable cause to believe that the offender violated special condition number fourteen which requires her to undergo a substance abuse treatment and counseling.

The offender was referred to Pathway Society Inc., for the purpose of substance abuse treatment and random drug testing. The treatment provider reported that the offender failed to show for urinalysis on July 26, 2007, the entire months of August and September 2007. Further, she failed to report for counseling on August 8, 15, 20, and 22, 2007, and on September 5 and 12, 2007.

Evidence of this violation can be found in the Missed Appointment Memo provided by Pathway Society Inc.

Four There is probable cause to believe that the offender violated standard condition number two which requires her to submit a truthful and complete written report within the first five days of each month.

The offender failed to submit her Monthly Supervision Reports for the months of August 2007 and September 2007.


Address of offender: 881 Burbank Drive #4
Santa Clara, CA 95051

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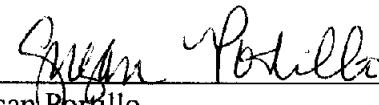
Based on the foregoing, there is probable cause to believe that Maya A. Finnie violated the conditions of his supervision. Therefore, I ask the Court to issue a no bail warrant for his arrest.

Respectfully submitted,



Janie Zhuang
U.S. Probation Officer
Date Signed: October 9, 2007

Approved as to form:



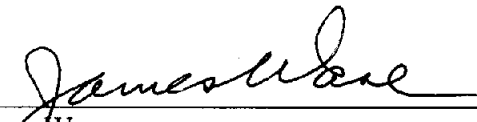
Susan Portillo
Supervisory U.S. Probation Officer

Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and orders:

- ☒ The issuance of a no bail warrant.
☐ Other:

OCT 15 2007

Date



James Ware
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

Case Number: CR 07-0062-01 JW

CERTIFICATE OF SERVICE

v.

MAYA A. FINNIE,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 15, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

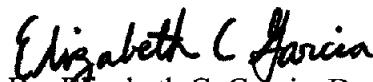
Assistant United States Attorney's Office
150 Alameda Blvd. Ste 900
San Jose, CA 95113

Federal Public Defender's Office
160 W. Santa Clara St. Ste. 575
San Jose CA 95113

Janie Zhuang
United States Probation Office
280 South First Street
San Jose CA 95113

October 15, 2007

Richard W. Wieking, Clerk



By: Elizabeth C. Garcia, Deputy Clerk